

REMARKS

Claims 1-4 are pending in this application. By this Amendment, claim 1 is amended. Support for the amendments to independent claim 1 can be found at least in Fig. 5. Thus, no new matter is added.

I. April 29, 2009 Personal Interview

Applicant appreciates the courtesies shown to Applicant's representatives by Examiners DeFrank and Prone in the April 29, 2009 personal interview. Applicant's separate record of the substance of the interview is incorporated into the following remarks.

II. Objection to the Specification

The Office Action objects to the Abstract as allegedly being one word too long. Attached to this Amendment, Applicant respectfully submits a replacement Abstract that is responsive to the objection.

Accordingly, Applicant respectfully requests withdrawal of the rejection.

III. 35 U.S.C. §103 Rejections

The Office Action rejects claims 1-4 under 35 U.S.C. §103(a) as being unpatentable over alleged Applicant-admitted prior art in view of U.S. Patent No. 3,747,447 to Wisner. This rejection is respectfully traversed.

The alleged AAPA and Wisner, taken alone or in combination, fail to disclose or render obvious "a plurality of needle support members that are independently rotatably supported on the second shaft and successively arranged along the second axis," as recited in independent claim 1.

The Office Action appears to acknowledge that the AAPA fails to disclose the plurality of needle support members and instead alleges that Wisner discloses in Fig. 9 a plurality of perforating segments 55 that correspond to the needle support members of independent claim 1. However, as can be seen in Fig. 9 of Wisner, the perforating segments

55 are each arranged on their own individual rod 57 that would presumably correspond to the claimed second shaft. Thus, the perforating segments 55 shown in Wisner are not arranged along a single axis but rather along their own individual axes. Accordingly, the perforating segments 55 of Wisner are not "independently rotatably supported on the second shaft and successively arranged along the second axis," as recited in independent claim 1.

As discussed during the April 29, 2009 personal interview, the applied references, taken alone or in combination, also fail to disclose or render obvious "a plurality of piercing needles... being each movable toward and away from other piercing needles in a circumferential direction," as recited in independent claim 1.

In particular, the Office Action again relies on Fig. 9 of Wisner as disclosing this feature. However, as can be seen in Fig. 9 of Wisner, only groups of perforating elements 60 rotate with respect to other groups of perforating elements. For example, Wisner shows in Fig. 9 that each perforating segment 55 has attached thereto a plurality of perforating elements 60 that only rotate with respect to the rotation of the perforating segment 55. Thus, each perforating element 60 is not movable toward and away from other perforating elements because all perforating elements attached on a single perforating segment 55 will remain fixed in position relative to each other. Further, because Wisner discloses in Fig. 9 that groups of perforating elements 60 rotate, Wisner fails to disclose that each perforating element is movable toward and away from other perforating elements. The Office Action acknowledges that the AAPA also fails to disclose this feature.

For at least the reasons discussed above, independent claim 1 is patentable over the applied combination of references. Claims 2-4 are patentable at least for their various dependencies from independent claim 1, as well as for the additional features they recite.

Accordingly, Applicant respectfully requests withdrawal of the rejection.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachments:

Substitute Abstract
Petition for Extension of Time
Request for Continued Examination

Date: May 15, 2009

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